

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ADMINISTRATION - PERSONNEL ADMINISTRATION

1. **Title and its heading:** 2, Administration
Chapter and its heading: 5, Department of Administration - Personnel Administration
Articles and their headings: 9, Separations
Section numbers: R2-5-904
2. **The subject matter of the proposed rules:**
The new section R2-5-904 contains requirements for a voluntary separation program proposal from agencies initiating a reduction in force and provides for severance pay and shared insurance benefit payments for employees willing to volunteer for separation when a reduction in force is initiated.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**
Name: Thomas E. Michael, Human Resources Generalist
Address: ADOA Human Resources
1831 W. Jefferson, Room 107
Phoenix, Arizona 85007
Telephone: (602) 542-4897
Fax: (602) 542-2796
5. **The time during which written submission may be made and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m. Oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m. Both written and oral comments will be accepted at the address listed in question #4.
6. **A timetable for agency decisions or other action in the proceeding:**
Not yet determined.

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF NURSING

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 19, State Board of Nursing
Articles and their headings: 5, Extended Nursing Practice
Section numbers: Agency did not provide this information.
2. **The subject matter of the proposed rules:**
The proposed rule addresses the practice of certified registered nurse anesthetists in the ordering of preoperative and postoperative medications. The proposed rule will establish requirements for certified registered nurse anesthetists to obtain annual prescriptive authority.
3. **A citation to all published notices relating to the proceeding:**
Not applicable.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**
Name: Mary Griffith, R.N.C., M.N., Nurse Practice Consultant
Address: State Board of Nursing
1651 East Morten, Suite 150
Phoenix, Arizona 85020
Telephone: (602) 906-9365

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Fax: (602) 906-9365

5. The time during which written submission may be made and the time and place where oral comments may be made:
Submissions may be made to the nurse practice consultant identified in paragraph #4 above, at the designated address until the close of the record, which has not yet been determined. The specific date for the close of record will be set forth in the Notice of Proposed Rulemaking to be filed with the Secretary of State and published in the *Register*.
6. A timetable for agency decisions or other action in the proceeding:
Not yet determined.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

1. Title and its heading: 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Articles and their headings: 8, Poisons or Hazardous Substances
10, Uniform Controlled Substances and Drug Offenses
Section numbers: R4-23-801, R4-23-802, R4-23-803, R4-23-804, R4-23-1002, and R4-23-1004
2. The subject matter of the proposed rules:
As part of the Board's 5-year rule review approved by the Governor's Regulatory Review Council on September 9, 1997, the Board identified sections of rules that should be repealed. This rulemaking will repeal those sections. Article 8, Poisons or Hazardous Substances is being completely repealed because it is not enforceable. Section R4-23-1002 is being repealed because it not only lacks clarity, but proposes to legitimize something a state agency has no authority to do, specifically waive a federal rule. Section R4-23-1004 is being repealed because the need for the rule no longer exists. The section sets limits on the percentage of paregoric that can be present in products sold over the counter. Since there are no commercially available products containing paregoric, the rule should be repealed.

The agency docket number, if applicable:
R9802
3. A citation to all published notices relating to the proceeding:
None.
4. The name and address of agency personnel with whom a person may communicate regarding the rule:
Name: Dean Wright, Compliance Officer

Address: Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015

Telephone: (602) 255-5125, Ext. 131

Fax: (602) 255-5740
5. The time during which written submission may be made and the time and place where oral comments may be made:
Oral comments can be made Monday through Friday, 8 a.m. to 4:30 p.m., at the location listed in question #4. Written and oral comments will be accepted until the close of record on a date and time to be determined.
6. A timetable for agency decisions or other action in the proceeding:
Unknown at this time.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) - ARIZONA LONG-TERM CARE SYSTEM

1. Title and its heading: 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System - Arizona Long-Term Care System
Articles and their headings: 1, Definitions
Section numbers: R9-2-104 and R9-28-107
2. The subject matter of the proposed rules:
This package is being opened to move a definition from R9-28-104 into R9-28-107 because the rule language in R9-28-402 is being moved to R9-28-712.
3. A citation to all published notices relating to the proceeding:
None.

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4. The name and address of agency personnel with whom a person may communicate regarding the rule:

Name: Cheri Tomlinson
Address: AHCCCS Administration
Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop 4200
Phoenix, Arizona 85034

Telephone: (602) 417-4198
Fax: (602) 256-6756

5. The time during which written submission may be made and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4. Public hearings will be scheduled later, during which time oral comments may be presented.

6. A timetable for agency decisions or other action in the proceeding:

The Administration anticipated filing a proposed rulemaking package in July 1998 and holding a public hearing in August of 1998.

NOTICE OF RULEMAKING DOCKET OPENING

PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS; SECURITIES REGULATION

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 6, Corporation Commission - Investment Management
Articles and their headings: 1, General Provisions Relating to the Arizona Investment Management Act,
2, Duties of Investment Advisers and Investment Adviser Representatives
Section numbers: R14-6-101 through R14-6-104 and R14-6-201 through R14-6-210

2. **The subject matter of the proposed rules:**

R14-6-101 through R14-6-104 and R14-6-201 through R14-6-209, combined with the enforcement Sections (R14-6-301 through R14-6-308) of the Arizona Securities Act, provide a comprehensive framework of regulation as authorized by the IM Act in place of the repealed Sections. The Division proposes the repeal of Sections R14-6-101 through R14-6-104 and R14-6-201 through R14-6-209 and the adoption of new Sections R14-6-101 through R14-6-104 and R14-6-201 through R14-6-210 in order to correct technical errors within the Sections, to reflect amendments to the United States Securities and Exchange Commission rules regarding the regulation of investment advisers and investment adviser representatives, and to prescribe parameters to the term "solicit" as used in the Arizona Investment Management Act adopted in April 1994 ("IM Act").

The agency docket number, if applicable:
RS00000A-98-0240

3. **A citation to all published notices relating to the proceeding:**

None.

4. The name and address of agency personnel with whom a person may communicate regarding the rule:

Name: Cheryl T. Farson, Associate General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 West Washington, Third Floor
Phoenix, Arizona 85007

Telephone: (602) 542-4242
Fax: (602) 594-7470

5. The time during which written submission may be made and the time and place where oral comments may be made:

All comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and should be addressed to the person listed in question #4. No hearing date has been set.

6. A timetable for agency decisions or other action in the proceeding:

The Securities Division plans to submit a Notice of Proposed Rulemaking by July 1998.